

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

|                      |   |                         |
|----------------------|---|-------------------------|
| EARL J. DIXON,       | ) | No. C 11-02100 EJD (PR) |
|                      | ) |                         |
| Petitioner,          | ) | ORDER OF TRANSFER       |
|                      | ) |                         |
| vs.                  | ) |                         |
|                      | ) |                         |
| M .D. BITER, Warden, | ) |                         |
|                      | ) |                         |
| Respondents.         | ) |                         |

Petitioner, a prisoner at the Kern Valley State Prison in Delano, has filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254, challenging his state conviction.

Venue for a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d). However, Federal courts in California traditionally have chosen to hear petitions challenging a conviction or sentence in the district of conviction. See Dannenberg v. Ingle, 831 F. Supp. 767, 767 (N.D. Cal. 1993); Laue v. Nelson, 279 F. Supp. 265, 266 (N.D. Cal. 1968). The petition indicates that Petitioner was convicted in Solano County which lies within the venue of the Eastern District of California. See 28 U.S.C. 84(b).

Accordingly, the above-titled action is hereby TRANSFERRED to the United States District Court for the Eastern District of California. See 28 U.S.C. §§ 1404(a), 2241(d); Habeas L.R. 2254-3.

The Clerk shall transfer this matter and terminate any pending motions.

DATED: July 15, 2011

  
EDWARD J. DAVILA  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

EARL J. DIXON,

Petitioner,

v.

M.D. BITER, Warden,

Respondent.

Case Number: CV11-02100 EJD

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 7/15/2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Earl J. Dixon C-45272  
Kern Valley State Prison  
P. O Box 5101  
Delano, CA 93216

Dated: 7/15/2011

Richard W. Wieking, Clerk  
/s/ By: Elizabeth Garcia, Deputy Clerk